

**Notice of Allowability**

Application No.

10/620,253

Examiner

Daniel R. Sellers

Applicant(s)

KIROVSKI ET AL.

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/5/06.
2. ☒ The allowed claim(s) is/are 1,4,22-23,26,33-34,37-39,42, and 44-50.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## DETAILED ACTION

### *Allowable Subject Matter*

1. **Claims 1, 4, 22-23, 26, 33-34, 37-39, 42, and 44-50** are allowed.
2. The following is an examiner's statement of reasons for allowance:
3. **Claim 1** is allowable because the prior art does not teach or suggest:  
"An audio watermarking system comprising:  
... a watermark insertion unit further configuring the segments of the audio signal  
to *enable detection* of the inserted strong and weak watermarks *based on a  
randomized correlation measure....*" (emphasis added)  
  
Prior art teaches the use of a correlation measure to detect strong and weak watermarks, wherein a signal which is highly correlated with one of the watermarks contains the watermark. However, the prior art fails to teach or suggest a randomized correlation measure.
4. **Claims 4, 44, and 50** are allowed because they depend on claim 1.
5. **Claim 22** is allowed for the same reason as claim 1. The prior art fails to teach or suggest a detection based on a randomized correlation measure.
6. **Claims 23 and 45** are allowed because they depend on claim 22.
7. **Claim 26** is allowed for the same reason as claim 1. The prior art fails to teach or suggest a detection based on a randomized correlation measure.
8. **Claim 46** is allowed because it depends on claim 26.
9. **Claim 33** is allowed for the same reason as claim 1. The prior art fails to teach or suggest a detection based on a randomized correlation measure.

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10. **Claim 47** is allowed because it depends on claim 33.
11. **Claim 34** is allowed for the same reason as claim 1. The prior art fails to teach or suggest a detection based on a randomized correlation measure.
12. **Claim 48** is allowed because it depends on claim 34.
13. **Claim 37** is allowed for the same reason as claim 1. The prior art fails to teach or suggest a detection based on a randomized correlation measure.
14. **Claims 38-39, 42, and 49** are allowed because they depend on claim 37.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel R. Sellers whose telephone number is 571-272-7528. The examiner can normally be reached on Monday to Friday, 9am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on (571)272-7564. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DRS



**SINH TRAN**  
**SUPERVISORY PATENT EXAMINER**